

Application No. 10/535,653  
Amendment dated April 10, 2008  
Reply to Office Action of January 1, 2008

Docket No.: 61904A US

### Remarks

#### *Restriction Requirement*

Applicants affirm their election of Group I, Claims 1 and 2, and the specific compound of Example 1 for examination.

#### *Amendment to the Claims*

Claims 3 through 6, withdrawn by the Examiner in response to the provisional election, are canceled by this amendment without any prejudice. Applicants reserve the right to pursue the subject matter of the canceled in one or more subsequent Divisional applications. Original Claim 2 is amended in response to the pending rejection under 35 U.S.C. § 112, first paragraph. In view of the nature of these amendments, it is submitted that no new matter has been added to the application.

#### *Rejection under 35 U.S.C. § 112, First Paragraph*

Claim 2 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserted that the claim contained subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. This rejection was based on Applicants' use of phrase "at least one other active compound where such active compound is at least insecticidally, acaricidally, or nematocidally active."

Applicants have amended Claim 2 by striking the objectionable phrase and replacing it with "a phytolegically-acceptable inert carrier." Basis for this amendment is found in paragraph [0021] on pages 7 and 8 of the specification where phytolegically-acceptable inert carriers are fully described. Applicants respectfully request the Examiner to enter the amendment.


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In view of the amendments and remarks presented with this response, it is urged that the rejection of record is overcome and the present application is in condition for allowance. Favorable consideration of this application is requested.

Dated: April 10, 2008

Respectfully submitted,

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